

REMARKS

This amendment is in response to the official action dated June 15, 2007. Because this response is mailed on October 15, 2007 with a Request for Continued Examination and a request for a one month extension of time, the amendment is timely and shall be considered.

I. Status of the Amendments

Prior to this amendment, claims 11-18 were pending. By this amendment, claims 11-18 have been canceled, and claims 19-25 have been added. Thus, claims 19-25 are pending. No additional claims fee is believed to be due, because the applicant previously paid for three (3) independent and twenty (20) total claims.

Claims 19-23 are supported in a fashion similar to claims 11-13, 16 and 17, as was detailed in the response to the previous action. Additionally, claim 19 finds its support, for example, in the text at page 34. Claims 24 and 25 find their support, for example, in the text at pages 32-33 and in Figs. 15-18.

II. Response to June 15 Action

A single rejection was raised in the June 15 action: Claims 11-18 were rejected under 35 U.S.C. 101 as allegedly attempting to patent “every substantial practical application” of an idea. No other grounds for rejection were raised. While the rejection is moot because claims 11-18 have been canceled, applicant has the following comments regarding new claims 19-25.

New claim 19 recites that the method employs a computer. In fact, the steps of the method each include use of the computer. Moreover, the computer is used to display the deformation predicted according to the predicting step. These limitations should assist in establishing that the method produces a useful, concrete and tangible result, as was pointed out in the previous response.

As to the allegations made in the June 15 action, that claim 11, for example, attempted to claim “every substantial practical application,” applicant submits that this is not the case

relative to claim 19, above, nor the claims that depend from claim 19. Moreover, applicant submits that certain of the dependent claims bolster the applicant's argument.

As to claim 19, it should now be clear that claim 19 does not claim every application of the method presented therein. Claim 19 addresses a computer-implemented deformation prediction method. This computer-implemented method may be useful in many different settings, but so are a great variety of computer-implemented tools. In this regard, the computer-implemented method relies on certain inputs, analyzes those inputs in combination with certain constraints, and provides an output that is displayed to the user. The claim does not seek to claim deformation of a body in the abstract, so as to be "in practical effect . . . a patent on the abstract idea itself." Instead, the claim is limited to the computer-implemented method recited therein.

Moreover, certain of the dependent claims further limit the deformations predicted according to the computer-implemented method recited herein. For example, claim 22 recites a method wherein the step of predicting deformation comprises computing a crack potential as a function of location within the body to identify regions within the body susceptible to deformation. Likewise, claim 23 recites computing radial elongations and/or radial contractions within the body to identify volumetric deformation.

Nor should it be overlooked that the dependent claims express the simplified format of display that is possible with the claimed method. For example, claim 24 recites that the display of the deformation may be performed in two dimensions. Further claim 25 recites that the display of the deformation may use different colors to indicate relative magnitudes of the deformation of the body.

In summary, the method of claim 19 is not an attempt to cover the abstract idea of the calculation of deformation of a body, but rather a computer-implemented method of predicting deformation of a body according to particular inputs and constraints, which deformation is then displayed to the user. Further, the dependent claims add details of the deformation predicted and the simplified display of that information. Consequently, this method is useful, concrete, and tangible, and should be patentable.

In view of the foregoing, it is respectfully submitted that all of the pending claims of the above application are in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below. In any event, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 30882/5101.

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Respectfully submitted,

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